

Meeting Minutes of the City of Milpitas Campaign Finance Reform Committee

MONDAY, MARCH 16, 2015

6:00 PM

Milpitas City Hall, Committee Room, 1st floor
455 E. Calaveras Boulevard, Milpitas, CA

CALL TO ORDER

Chair Althea Polanski called the meeting to order at 6:05 PM.

ROLL CALL:

Committee Members present were Althea Polanski, Bill Ferguson, Martha Lamdin, Marty Riker, Rajeev Madnawat, Syed Mohsin

Committee Members absent Bob Nunez, Rohit Sharma, and Lokesh Krishnarajpet.

Staff present were City Attorney Mike Ogaz and City Clerk Mary Lavelle.

Approval of Meeting Minutes: Upon motion by Mr. Mohsin and seconded by Ms. Lamdin, the meeting minutes of February 19, 2015 were approved.

No speakers came forward to comment under public forum.

City Attorney Mike Ogaz reviewed in detail the Ordinances adopted by Milpitas City Councils (No. 243 through No. 243.7), explaining what those laws were intended to achieve in the realm of campaign finance over the years here in Milpitas.

City Clerk Mary Lavelle explained campaign forms that are required to be filed in her office by elected officials and candidates for office. She went over in detail what was reported by those persons on FPPC Forms 410, 460 and 470, as displayed on the example forms in the distributed packet.

Bill Ferguson inquired of the City Attorney about enforcement of the ordinances, and state law with regard to reporting on the FPPC forms. He noted that the state FPPC enforcement was complaint-driven, so it was up to citizens who reviewed the forms to contact that agency to report violations. Rajeev Madnawat responded to that, expressing there were no remedies in the local law.

Chair Althea Polanski reviewed with the Committee a spreadsheet she had prepared, displaying the total amount that several actual candidates and one Committee had spent in 2010 and 2014 city elections. She provided a total of what candidates had spent, and amount received in contributions.

She then asked the members present to offer their input to the specific question of “What’s Broken?” with regard to local campaign finance. The range of responses included:

- \$99 reporting threshold
- Contributions to PACS/Committees
- Wording of the current ordinance
- Nothing about “quid pro quo” corruption. Accountability, jurisdictions
- Employees make contributions; don’t know if they are then reimbursed by company
- Remedies – there are none provided, nor enforcement tools/penalties
- Ethics v. bribery discussed. Business/developer not contributing during an election
- Aggregation issue. Was it a faulty requirement or process?
- Undue influence by corporations

- Length of time, to run election, receive contributions after election over
- Too high an amount of money to run for Mayor or CC. Non-voluntary limits maybe
- Who is looking for errors, mistakes? Need impartial committee to look at forms, follow-up on those, and have some enforcement.
- Complaints must be followed up quickly and investigated
- Carrying over large amounts of money from one election to another not good
- Greater disclosure needed

Next, the Chair asked for ideas to change the current ordinance. The range of responses included:

- District elections
- Report amounts over \$25.00
- Find out what other cities do (via subcommittee)
- Independent committee to review campaign forms
- Enforcement
- No carry over of funds, terminate committee
- Limited time for campaigning
- Last day to accept contributions, close to election day
- If any business had business before the City, it cannot donate/contribute within a specific time before election
- Maximum total amount to spend on election per candidate.
- Make ad in newspaper more effective, with enhanced disclosure for newspaper reporting and other means
- Nullify election for egregious violations, or other penalties, make stronger
- General purpose committee: follow same rule as candidates, in terms donations limit
- City power of enforcement, investigate complaints
- Greater disclosure, how often have Councilmembers met with developer

After discussion (and notes taken on easel pads on the wall), the Chair suggested the following three Subcommittees:

- 1) Disclosure – Enforcement, with Rajeev Madnawat, Syed Mohsin, Bill Ferguson
- 2) Limits – Financial and Time Limits, with Althea Polanski and other absent members
- 3) Campaign Reform – various topics, with Martha Lamdin and Marty Riker

It was recommended that the subcommittees meet on their own, discuss their topics, consider finding out what other cities do on those subjects, and be prepared to report back at the next Committee meeting in April.

The Committee adjourned at 8:30 PM, and agreed to convene next on Monday, April 20 at 6:00 PM. Chair Polanski noted the anticipated, scheduled meetings for this Committee would be on April 20, May 18, June 15 and July 20 at 6:00 PM each date, in the City Hall Committee Room.

*Meeting minutes drafted
by Mary Lavelle, City Clerk*